

**THE MINUTES OF THE CITY COUNCIL MEETING HELD  
MONDAY, JANUARY 5, 2015 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Emery; Council Members: Camp, Christensen, Cook, Eskridge, Fellers, Gaylor Baird; City Clerk, Teresa J. Meier.

Council Chair Emery announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. He asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

**READING OF THE MINUTES**

COOK            Having been appointed to read the minutes of the City Council proceedings of December 15, 2014, reported having done so, found same correct.

                    Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

**PUBLIC HEARING**

AMENDING CHAPTER 8.14 OF THE LINCOLN MUNICIPAL CODE TO ELIMINATE THE REQUIREMENT FOR SCHOOL AGE CHILD CARE PROGRAMS TO BE REGULATED UNDER LMC 8.14. - Judy Halstead, Director of LLCHD, came forward. She stated this item is related to the after school programs for school age only child care. Staff is recommending to rescind this portion of the LMC and not have child care for school aged children be permitted locally. Nebraska Department of Health and Human Services will still have their regulations in place for these after school programs.

This matter was taken under advisement.

AMENDING CHAPTER 24.38 OF THE LINCOLN MUNICIPAL CODE TO UPDATE THE ONSITE WASTEWATER TREATMENT SYSTEMS AND ADOPT STATE REGULATIONS. (RELATED ITEMS: 14-163, 14R-318);

RESCINDING THE CITY OF LINCOLN DESIGN STANDARDS 4.10, OPERATION AND MAINTENANCE OF ONSITE WASTEWATER TREATMENT SYSTEMS. (RELATED ITEMS: 14-163, 14R-318) (ACTION DATE: 1/12/15) - Judy Halstead, Director of LLCHD, came forward. She stated they are addressing the onsite wastewater systems and asked for approval of the changes to the current ordinance and to repeal the design standards that are currently in place. The State recently put in place their onsite wastewater system and LLCHD wants to be consistent with the State requirements. Discussion followed.

This matter was taken under advisement.

APPROVING A REAL ESTATE PURCHASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND TR NOVAK, LLC FOR THE SALE OF CITY OWNED PROPERTY GENERALLY LOCATED AT 5255 N.W. 12TH STREET - Lynn Johnson, Director of Parks and Recreation, came forward. He is asking for approval on the purchase and sales agreement of 5 acres of land located at Highlands Golf Course. Stated City Council declared this property as surplus and established zoning of O-3 back in 2004. Parks and Recreation entered into an agreement with a real estate listing agent who has now found buyer. Property is owned by the Golf Enterprise fund and is now selling the property for \$550,000.00. All proceeds will go back to that fund. Buyer is proposing 120 unit apartment building & club house at this site and will be submitting a site plan to the Planning Commission at a later time. Discussion followed.

Donald Linscott, 300 N. 44<sup>th</sup> St., Suite #207, Greenleaf Properties, came forward in support and to answer questions. Discussion followed.

This matter was taken under advisement.

APPROVING THE ANNEXATION AGREEMENT FOR ROKEBY ROAD COALITION BETWEEN UNION BANK & TRUST COMPANY, ROKEBY HOLDINGS, LTD., THE CATHOLIC BISHOP OF LINCOLN, CARLTON W. TALCOTT, MILTON L. AND CAROL A. TALCOTT, SSAR, LLC, CALRUBY, LLC, FRED H. AND JANET L. SMITH, CHARLES J. AND JUNE N. MARQUARDT, LINCOLN FEDERAL BANCORP, INC., MILTON L. TALCOTT, TRUSTEE AND CAROL A. TALCOTT, TRUSTEE, TALCOTT LAND & CATTLE, INC., MILTON L. TALCOTT, TRUSTEE, AND THE CITY OF LINCOLN, NEBRASKA FOR THE PHASED DEVELOPMENT AND ANNEXATION OF PROPERTY GENERALLY LOCATED NORTH AND SOUTH OF ROKEBY ROAD FROM 70TH STREET TO 98TH STREET. (RELATED ITEMS: 14-159, 14R-313, 14R-309, 14-153, 14-154) (1/15/14 - P.H. & ACTION CONT'D 3 WEEKS TO 1/5/15);

APPROVING AMENDMENT NO. 4 TO THE WOODLANDS AT YANKEE HILL CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN LEWIS-STAROSTKA, INC., 3AP-SE, LLC, MIDWEST NET LEASE INVESTORS-SE, LLC, R.C. KRUEGER DEVELOPMENT CO., DOUBLE D LAND COMPANY, LLC, CALRUBY, LLC, AND THE CITY OF LINCOLN, NEBRASKA TO ALLOW THE CITY TO ASSUME RESPONSIBILITY FOR CONSTRUCTION OF YANKEE HILL ROAD FROM 70TH STREET TO 84TH STREET AND TO PAY FOR ENGINEERING ALREADY

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COMPLETED BY THE OWNERS. (RELATED ITEMS: 14-159, 14R-313, 14R-309, 14-153, 14-154) (ACTION DATE: 1/5/15) (1/15/14 - P.H. & ACTION CONT'D 3 WEEKS TO 1/5/15);

COMP. PLAN AMENDMENT 14004 - AMENDING THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN DESIGNATION FROM "RESIDENTIAL-URBAN DENSITY" TO "COMMERCIAL" ON PROPERTY GENERALLY LOCATED IN THE ROKEBY ROAD AND SOUTH 84TH STREET AREA; FROM "COMMERCIAL" TO "RESIDENTIAL-URBAN DENSITY" ON PROPERTY GENERALLY LOCATED SOUTHEAST OF ROKEBY ROAD AND SOUTH 70TH STREET; TO MODIFY THE LOCATION OF A FUTURE BIKE TRAIL BETWEEN YANKEE HILL ROAD, ROKEBY ROAD, SOUTH 70TH STREET, AND SOUTH 84TH STREET; AND TO RELOCATE A NEIGHBORHOOD CENTER DESIGNATION FROM SOUTHEAST OF SOUTH 70TH STREET AND ROKEBY ROAD TO SOUTH 84TH STREET AND ROKEBY ROAD. (RELATED ITEMS: 14-159, 14R-313, 14R-309, 14-153, 14-154) (ACTION DATE: 1/5/15) (1/15/14 - P.H. & ACTION CONT'D 3 WEEKS TO 1/5/15);

ANNEXATION 14004 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 27 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 70TH STREET AND ROKEBY ROAD. (RELATED ITEMS: 14-159, 14R-313, 14R-309, 14-153, 14-154) (1/15/14 - P.H. & ACTION CONT'D 3 WEEKS TO 1/5/15);

CHANGE OF ZONE 14017 - APPLICATION OF ROKEBY HOLDINGS, LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 70TH STREET AND ROKEBY ROAD. (RELATED ITEMS: 14-159, 14R-313, 14R-309, 14-153, 14-154) (1/15/14 - P.H. & ACTION CONT'D 3 WEEKS TO 1/5/15) - Kent Seacrest, 1111 Lincoln Mall, #350, Attorney at Seacrest & Kalkowski, came forward. Stated they have been collectively working with 14 different property owners on 12 different parcels. Had asked to continue public hearing due to last minute revisions to the annexation agreements. There are 3 motions to amend that the City Attorney prepared. Two changes involve different names since the property ownership had shifted from two different tracts and the third change is a correction to the register of deeds instrument number. Stated all signatures collected and agreements are now in order.

This matter was taken under advisement.

APPROVING A CONSTRUCTION ENGINEERING AGREEMENT SUPPLEMENT NO. 1 AND SUPPLEMENT NO. 2 BETWEEN THE CITY OF LINCOLN AND KIRKHAM MICHAEL AND ASSOCIATES, INC. FOR CONSULTANT COMPENSATION FOR CONSTRUCTION ENGINEERING RELATED FOR THE JAMAICA TRAIL NORTH PHASE 2 FEDERAL AID PROJECT (STATE PROJECT NO. ENH-55(160), CN 12879). - Lynn Johnson, Director of Parks and Recreation, came forward. Stated there are two supplemental agreements for the Jamaica Trail Northphase 2 project. First agreement for \$1,500.00 for additional topographical survey work and second agreement associated with additional testing for paving core units for \$1,000.00. These come before City Council for approval since it is a Federal Aid project. Discussion followed.

This matter was taken under advisement.

## **COUNCIL ACTION**

### **REPORTS OF CITY OFFICERS**

RESOLUTION APPROVING THE CITY OF LINCOLN'S INVESTMENT ACTIVITY REPORT FROM THE CITY TREASURER FOR THE FIRST QUARTER, FISCAL YEAR, 2014 - 2015, ENDING NOVEMBER 30, 2014 - CLERK read the following resolution, introduced by Gaylor Baird, who moved its adoption:

A-88709 BE IT HEREBY RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Investment Activity report and attached list of investments be confirmed and approved, and the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by City Council.

Introduced by Leirion Gaylor Baird

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

REPORT FROM CITY TREASURER OF 911 SURCHARGE FOR THE TIME PERIOD OF AUGUST 2014 THROUGH OCTOBER 2014 - CLERK presented said report which was placed on file in the office of the City Clerk. **(20-2)**

LINCOLN ELECTRIC SYSTEM FINANCIAL & OPERATING STATEMENT FOR NOVEMBER 2014 - CLERK presented said report which was placed on file in the office of the City Clerk. **(40)**

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY CITY COUNCIL ON DECEMBER 8, 2014 (WITH THE EXCEPTION OF A-88675 WHICH WAS RETURNED AND SIGNED ON DECEMBER 9, 2014 AND A-88689 WHICH WAS RECONSIDERED BY THE CITY COUNCIL) - CLERK presented said report which was placed on file in the office of the City Clerk. (27-1)

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION A-88675 PASSED BY CITY COUNCIL ON DECEMBER 8, 2014 - CLERK presented said report which was placed on file in the office of the City Clerk. (27-1)

### PETITIONS & COMMUNICATIONS

INFORMAL PETITION TO CREATE A WATER DISTRICT IN W. CALVERT STREET, BETWEEN S.W. 15<sup>TH</sup> STREET AND S. FOLSOM STREET, SUBMITTED BY HAROLD WHITMARSH - CLERK presented said petition which was referred to the Public Works Department.

SETTING THE HEARING DATE OF MONDAY, JANUARY 26, 2015 AT 5:30 P.M. FOR THE APPLICATION OF MID-WEST SLIMS LLC DBA SLIM CHICKENS FOR A CLASS I LIQUOR LICENSE AT 1601 PINE LAKE ROAD - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88710 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, January 26, 2015 at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the application of Mid-West Slims LLC dba Slim Chickens for a Class I Liquor License located at 1601 Pine Lake Road.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Leirion Gaylor Baird

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, JANUARY 26, 2015 AT 5:30 P.M. FOR THE APPLICATION OF MID-WEST SLIMS LLC DBA SLIM CHICKENS FOR A CLASS I LIQUOR LICENSE AT 5805 S. 85<sup>TH</sup> STREET - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88711 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, January 26, 2015 at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the application of Mid-West Slims LLC dba Slim Chickens for a Class I Liquor License located at 5805 S. 85<sup>th</sup> Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Leirion Gaylor Baird

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

### REFERRED TO THE PLANNING DEPARTMENT:

Change of Zone No. 14029 from O-2 Suburban Office District to B-3 Commercial District, on property legally described as Lots 11, 12 and 13, Block 45, College View, located in the SE1/4 of Section 5-9-7, Lincoln, Lancaster County, Nebraska, generally located at South 48th Street and Pioneers Boulevard (4820 and 4826 Pioneers Boulevard).

Change of Zone No. 14033 from R-4 Residential District and O-2 Suburban Office District to B-3 Commercial District, on property legally described as Lots 7 through 10, Block 39, College View, located in the SW1/4 of Section 5-9-7, Lincoln, Lancaster County, Nebraska, generally located at South 48th Street and Meredith Street.

Special Permit No. 14054 for the expansion of a nonconforming use for the sale of alcohol for consumption off the premises on property legally described as the east 49 feet of Lot 8, and all of Lots 9 through 12, all in Block 39, College View, located in the SW1/4 of Section 5-9-7, Lincoln, Lancaster County, Nebraska, generally located at South 48th Street and Meredith Street. The Planning Commission action is final, unless appealed to the City Council.

Special Permit No. 1999B an amendment to the Wilderness Hills Community Unit Plan, to modify the requirements of the sign ordinance, on property legally described as Lot 1, Wilderness Place 1st Addition, located in the NW1/4 of Section 30-9-7, Lincoln, Lancaster County, Nebraska, generally located at South 33rd Street and Wilderness Hills Road.

Text Amendment No. 14021 amending Section 27.72.080 of the Lincoln Municipal Code relating to exceptions to front yard requirements to provide for a reduced commercial front yard setback in the O-1 Office District and the B-3 Commercial District where there is an abutting residential district along the same block face; and repealing Section 27.72.080 of the Lincoln Municipal Code as hitherto existing.

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Use Permit No. 13011A amending the Russwood Park use permit to increase the floor area; to exceed the maximum height in the B-2 Planned Neighborhood Business District; and to modify the parking requirements of the B-2 Planned Neighborhood Business District, on property legally described as Outlot A, Russwood Park 4th Addition, located in the SE1/4 of Section 22-10-7, Lincoln, Lancaster County, Nebraska, generally located at North 84th Street and O Street.

**PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:**

Administrative Permit No. 14004 approved by the Acting Planning Director on December 10, 2014, requested by Verizon Wireless, to install personal wireless services facilities consisting of mounting rooftop antennas and a ground-based equipment shelter, on property generally located at 600 W. E Street.

Administrative Amendment No. 14075 to Use Permit No. 128B, Morning Glory Estates, approved by the Acting Planning Director on December 9, 2014, requested by Olsson Associates, to amend the site plan by revising Lots 12 and 14, adding Lot 18, and amending the Land Use table, on property generally located at N. 84<sup>th</sup> Street and Holdrege Street.

Administrative Amendment No. 14086 to Change of Zone No. 2179G, Central Park South, approved by the Acting Planning Director on December 10, 2014, requested by Olsson Associates, to rearrange the parking lot landscaping by removing 5 perimeter trees and adding 3 parking lot trees, on property generally located at R Street and N. 50<sup>th</sup> Street.

Administrative Amendment No. 14092 to Use Permit No. 145A, Pine Lake Plaza Office Park, approved by the Acting Planning Director on December 9, 2014, requested by Olsson Associates, to expand the number of lots in Block 3 from six to seven by dividing former Lot 1 to create Lots 1 and 7, on property generally located at South 84<sup>th</sup> Street and Highway 2.

Administrative Amendment No. 14094 to Special Permit No. 511A, Arnold Heights CUP, approved by the Acting Planning Director on December 11, 2014, requested by Civil Design Group, to reduce the front and side yard setback, lot area and average lot width to allow the construction of a single family detached house, on property generally located at 5436 W. Hughes Street.

Administrative Amendment No. 14095 to Special Permit No. 1674, Cheney Ridge CUP, approved by the Acting Planning Director on December 11, 2014, requested by Civil Design Group, to revise the site plan to show the building envelope as approved by the Planning Commission and to modify note #28 accordingly, all to make clear that a shelter for the mailbox cluster unit can be constructed north of the clubhouse, on property generally located at S. 84<sup>th</sup> Street and Cheney Ridge Road.

Administrative Amendment No. 14096 to Special Permit No. 1665C, Van Dorn Meadows CUP, approved by the Acting Planning Director on December 11, 2014, requested by Civil Design Group, to revise the site plan to add an additional lap pool near the clubhouse, and to delete the individual building envelopes for each apartment building and instead show a single building envelope for the entire apartment area, on property generally located at S. 70<sup>th</sup> Street and Van Dorn Street.

Administrative Amendment No. 14084 to Final Plat 05085, Thompson Creek Commercial 1<sup>st</sup> Addition, approved by the Acting Planning Director on December 17, 2014, requested by EDC, to extend the time for two years to install sidewalks, on property generally located at S. 56<sup>th</sup> Street and Thompson Creek Boulevard.

Administrative Amendment No. 14093 to Special Permit No. 14008, 1100 Y Street CUP, approved by the Acting Planning Director on December 17, 2014, requested by ESP, Inc., to reflect the modified alignment of Y Street, N. 12<sup>th</sup> Street and the east side of the parking lot, on property generally located at N. 10<sup>th</sup> Street and Y Street.

Administrative Amendment No. 14097 to Use Permit No. 117C, Horizon Business Center, approved by the Acting Planning Director on December 22, 2014, requested by Olsson Associates, to correct a previous error on Lot 15 and restore the previously approved 14,500 sq. ft. to this lot; and to adjust the square footage on Lot 16 from 22,000 to 21,445; on Lots 18 and 34 from 21,500 to 21,950; and on Lot 35 from 21,500 to 42,000, on property generally located at S. 13<sup>th</sup> Street and Aries Drive.

**LIQUOR RESOLUTIONS**

**APPLICATION OF HY-VEE INC. DBA HY-VEE RESTAURANT FOR A CLASS IK LIQUOR LICENSE AT 5020 N. 27TH STREET - PRIOR to reading:**

**CAMP** Moved to Continue Public Hearing & Action for one week to 01/12/15.  
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

**MANAGER APPLICATION OF SCOTT A. SCHLATTER FOR HY-VEE INC. DBA HY-VEE RESTAURANT AT 5020 N. 27TH STREET - PRIOR to reading:**

**CAMP** Moved to Continue Public Hearing & Action for one week to 01/12/15.  
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

MANAGER APPLICATION OF KAREN BRUYETTE FOR WHITEHEAD ENERGY LLC DBA U-STOP #26 AT  
8350 NORTHWOODS DRIVE - PRIOR to reading:

CAMP                    Moved to Continue Public Hearing & Action for one week to 01/12/15.  
                              Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook,  
Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

**ORDINANCES - 2<sup>ND</sup> READING & RELATED RESOLUTIONS (as required)**

AMENDING CHAPTER 8.14 OF THE LINCOLN MUNICIPAL CODE TO ELIMINATE THE REQUIREMENT FOR SCHOOL AGE CHILD CARE PROGRAMS TO BE REGULATED UNDER LMC 8.14 - CLERK read an ordinance, introduced by Trent Fellers, amending Chapter 8.14 of the Lincoln Municipal Code relating to Child Care Programs by amending Section 8.14.010 to eliminate the requirement for school-age child care programs to be regulated under LMC 8.14, and repealing Section 8.14.010 of the Lincoln Municipal Code as hitherto existing, the second time.

AMENDING CHAPTER 24.38 OF THE LINCOLN MUNICIPAL CODE TO UPDATE THE ONSITE WASTEWATER TREATMENT SYSTEMS AND ADOPT STATE REGULATIONS. (RELATED ITEMS: 14-163, 14R-318) - CLERK read an ordinance, introduced by Trent Fellers, amending Chapter 24.38 of the Lincoln Municipal Code to update the Onsite Wastewater Treatment Systems provisions and adopt related State regulations by amending Section 24.38.020 to update definitions; amending Section 24.38.030 to incorporate state standards and regulations into Chapter 24.38; amending Section 24.38.040 to require a permit to alter an existing system; amending Section 24.38.041 to require the construction of said systems to be performed by a Certified Professional as defined in Section 24.38.020; amending Sections 24.38.043, 24.38.044, 24.38.045, 24.38.050, 24.38.070, 24.38.080, 24.38.090, 24.38.120 to revise existing text for clarification and to reflect changes made to the definitions in Section 24.38.020; repealing Section 24.38.055 relating to annual operating permits for non-standard onsite wastewater systems in its entirety; amending Section 24.38.100 to correct the existing language to insert the previously omitted word "above" in subsection (a)(3); amending Section 24.38.110 to remove requirements related to installation of non-standard onsite wastewater treatment systems; and repealing Sections 24.38.030, 24.38.040, 24.38.041, 24.38.043, 24.38.044, 24.38.045, 24.38.050, 24.38.070, 24.38.080, 24.38.090, 24.38.100, 24.38.110, 24.38.120, and 24.38.140 of the Lincoln Municipal Code as hitherto existing, the second time.

RESCINDING THE CITY OF LINCOLN DESIGN STANDARDS 4.10, OPERATION AND MAINTENANCE OF ONSITE WASTEWATER TREATMENT SYSTEMS. (RELATED ITEMS: 14-163, 14R-318)  
(ACTION DATE: 1/12/15)

APPROVING A REAL ESTATE PURCHASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND TR NOVAK, LLC FOR THE SALE OF CITY OWNED PROPERTY GENERALLY LOCATED AT 5255 N.W. 12<sup>TH</sup> - CLERK read an ordinance, introduced by Trent Fellers, approving a Real Estate Purchase Agreement between the City of Lincoln, Nebraska and TR Novak, LLC, authorizing the sale of City owned property described as Lot 2, Highlands Coalition 4th Addition, Lancaster County, Nebraska, generally located at 5255 N.W. 12th Street, the second time.

**PUBLIC HEARING - RESOLUTIONS**

APPROVING A CONSTRUCTION ENGINEERING AGREEMENT SUPPLEMENT NO. 1 AND SUPPLEMENT NO. 2 BETWEEN THE CITY OF LINCOLN AND KIRKHAM MICHAEL AND ASSOCIATES, INC. FOR CONSULTANT COMPENSATION FOR CONSTRUCTION ENGINEERING RELATED FOR THE JAMAICA TRAIL NORTH PHASE 2 FEDERAL AID PROJECT (STATE PROJECT NO. ENH-55(160), CN 12879). - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88714                    BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Construction Engineering Agreement Supplement No. 1 and Supplement No. 2 between the City of Lincoln and Kirkham Michael and Associates, Inc. for the use of Federal Aid project funds distributed by the Nebraska Department of Roads for additional construction engineering related to the Jamaica Trail North Phase 2 Federal Aid Project (State Project No. ENH-55(160), in accordance with the terms and conditions contained in said Agreements, are hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to return the executed copy of the Agreements to Terry Genrich, Parks and Recreation Department, for transmittal and execution by the State Department of Roads.

Introduced by Trent Fellers

Seconded by Gaylor Baird & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

**ORDINANCES - 3RD READING & RELATED RESOLUTIONS (as required)**

APPROVING THE ANNEXATION AGREEMENT FOR ROKEBY ROAD COALITION BETWEEN UNION BANK & TRUST COMPANY, ROKEBY HOLDINGS, LTD., THE CATHOLIC BISHOP OF LINCOLN, CARLTON W. TALCOTT, MILTON L. AND CAROL A. TALCOTT, SSAR, LLC, CALRUBY, LLC, FRED H. AND JANET L. SMITH, CHARLES J. AND JUNE N. MARQUARDT, LINCOLN FEDERAL BANCORP, INC., MILTON L. TALCOTT, TRUSTEE AND CAROL A. TALCOTT, TRUSTEE, TALCOTT LAND & CATTLE, INC., MILTON L. TALCOTT, TRUSTEE, AND THE CITY OF LINCOLN, NEBRASKA FOR THE PHASED DEVELOPMENT AND ANNEXATION OF PROPERTY GENERALLY LOCATED NORTH AND SOUTH OF ROKEBY ROAD FROM 70TH STREET TO 98TH STREET. (RELATED ITEMS: 14-159, 14R-313, 14R-309, 14-153, 14-154) (12/15/14 - P.H. & Action cont'd 3 weeks to 1/5/15) - PRIOR to reading:

FELLERS Moved Motion to Amend No. 1 to amend Bill No. 14-159 accepting the substitute Attachment "A" attached hereto to replace Attachment "A" previously provided with Bill No. 14-159 (Annexation Agreement for Rokeby Road Coalition).

Seconded by Gaylor Baird & carried by the following vote: AYES: Camp, Christensen, Cook, Eskridge, Emery, Fellers, Gaylor Baird; NAYS: None.

CLERK Read an ordinance, introduced by Carl Eskridge, that the Annexation Agreement for Rokeby Road Coalition, which is attached hereto, marked as Attachment "A" and made a part hereof by reference, between Union Bank & Trust Company, Rokeby Holdings, Ltd., the Catholic Bishop of Lincoln, Carlton W. Talcott, Milton L. and Carol A. Talcott, SSAR, LLC, Calruby, LLC, Fred H. and Janet L. Smith, Charles J. and June N. Marquardt, Lincoln Federal Bancorp, Inc., Milton L. Talcott, Trustee and Carol A. Talcott, Trustee, Talcott Land & Cattle, Inc., Milton L. Talcott, Trustee, and the City of Lincoln, Nebraska, outlining certain conditions and understandings relating to the annexation of approximately 26.35 acres of property generally located north and south of Rokeby Road from 70th Street to 98th Street, is approved, the third time.

ESKRIDGE Moved to pass the ordinance as amended.

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **#20124**, is recorded in the Ordinance Book #29, Page .

APPROVING AMENDMENT NO. 4 TO THE WOODLANDS AT YANKEE HILL CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN LEWIS-STAROSTKA, INC., 3AP-SE, LLC, MIDWEST NET LEASE INVESTORS-SE, LLC, R.C. KRUEGER DEVELOPMENT CO., DOUBLE D LAND COMPANY, LLC, CALRUBY, LLC, AND THE CITY OF LINCOLN, NEBRASKA TO ALLOW THE CITY TO ASSUME RESPONSIBILITY FOR CONSTRUCTION OF YANKEE HILL ROAD FROM 70TH STREET TO 84TH STREET AND TO PAY FOR ENGINEERING ALREADY COMPLETED BY THE OWNERS. (RELATED ITEMS: 14-159, 14R-313, 14R-309, 14-153, 14-154) (ACTION DATE: 1/5/15) (12/15/14 - P.H. & Action cont'd 3 weeks to 1/5/15) - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-88712 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That Amendment No. 4 to the Woodlands at Yankee Hill Conditional Annexation and Zoning Agreement (Agreement) which is attached hereto, marked as Attachment "A" and made a part hereof by reference, between the City of Lincoln and Lewis-Starostka, Inc., 3AP-SE, LLC, Midwest Net Lease Investors-SE, LLC, R.C. Krueger Development Co., Double D Land Company, LLC, and Calruby, LLC, to amend the terms and conditions to allow the City to assume responsibility for construction of Yankee Hill Road from 70th Street to 84th Street and to pay for engineering already completed by the Owners on property generally located at South 84th Street and Yankee Hill Road, is hereby approved and the Mayor is authorized to execute the Agreement on behalf of the City.

BE IT FURTHER RESOLVED that the City Clerk is directed to return one fully executed copy of this Agreement to Tim Sieh, Assistant City Attorney, for distribution to the Owner.

BE IT FURTHER RESOLVED that the City Clerk is directed to forward a copy of this Agreement to Michaela Dugan, Impact Fee Administrator.

Introduced by Carl Eskridge

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

COMP. PLAN AMENDMENT 14004 - AMENDING THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN DESIGNATION FROM "RESIDENTIAL-URBAN DENSITY" TO "COMMERCIAL" ON PROPERTY GENERALLY LOCATED IN THE ROKEBY ROAD AND SOUTH 84TH STREET AREA; FROM "COMMERCIAL" TO "RESIDENTIAL-URBAN DENSITY" ON PROPERTY GENERALLY LOCATED SOUTHEAST OF ROKEBY ROAD AND SOUTH 70TH STREET; TO MODIFY THE LOCATION OF A FUTURE BIKE TRAIL BETWEEN YANKEE HILL ROAD, ROKEBY ROAD, SOUTH 70TH STREET, AND SOUTH 84TH STREET; AND TO RELOCATE A NEIGHBORHOOD CENTER DESIGNATION FROM SOUTHEAST

OF SOUTH 70TH STREET AND ROKEBY ROAD TO SOUTH 84TH STREET AND ROKEBY ROAD. (RELATED ITEMS: 14-159, 14R-313, 14R-309, 14-153, 14-154) (ACTION DATE: 1/5/15) (12/15/14 - P.H. & Action cont'd 3 weeks to 1/5/15) - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-88713 WHEREAS, the Planning Director, on behalf of the Rokeby Road Coalition Landowners, has made application to amend the 2040 Lincoln-Lancaster County Comprehensive Plan to change the land designation in the Lancaster County and Lincoln Area Future Land Use Plans from Residential Urban Density to Commercial on property generally located southeast of Rokeby Road and South 84th Street; from Commercial to Residential Urban Density on property generally located southeast of Rokeby Road and South 70th Street; to modify the location of a future bike trail between Yankee Hill Road, Rokeby Road, South 70th Street, and South 84th Street; and to relocate a Neighborhood Center designation from southeast of South 70th Street and Rokeby Road to South 84th Street and Rokeby Road; and to make associated amendments to the Comprehensive Plan; and

WHEREAS, the Lincoln City - Lancaster County Planning Commission has recommended approval of the requested changes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that the 2040 Lincoln-Lancaster County Comprehensive Plan be and the same is hereby amended in the following manner:

1. Amend the Lancaster County Future Land Use Plan on pages 1.8 and 12.2, and the Lincoln Area Future Land Use Plan on pages 1.9 and 12.3 to reflect changes in land use from Residential Urban Density to Commercial on property generally located southeast of Rokeby Road and South 84th Street; from Commercial to Residential Urban Density on property generally located southeast of Rokeby Road and South 70th Street; to show the location of the future bike trail near the intersection of S.84th Street and Rokeby Road; and to show said changes on all other maps, figures, and plans where the land use map is displayed including on pages 5.6 and 5.17.

2. Amend the Existing and Proposed Commercial Centers map on page 5.6 to reflect a new Unbuilt Approved Neighborhood Center on the east side of the S. 84th Street and Rokeby Road intersection.

BE IT FURTHER RESOLVED that all other maps, figures, and plans where the land use map is displayed and other references in said plan which may be affected by the above-specified amendment be, and they hereby are amended to conform with such specific amendments.

Introduced by Carl Eskridge

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

ANNEXATION 14004 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING

APPROXIMATELY 27 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 70TH STREET AND ROKEBY ROAD. (RELATED ITEMS: 14-159, 14R-313, 14R-309, 14-153, 14-154) (ACTION DATE: 1/5/15) (12/15/14 - P.H. & Action cont'd 3 weeks to 1/5/15) - CLERK read an ordinance, introduced by Carl Eskridge, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits 4 boundary of the City of Lincoln, Nebraska established and shown thereon, the third time.

ESKRIDGE Moved to pass ordinance as read.

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **#20125**, is recorded in Ordinance Book #29, Page .

CHANGE OF ZONE 14017 - APPLICATION OF ROKEBY HOLDINGS, LLC FOR A CHANGE OF ZONE

FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 70TH STREET AND ROKEBY ROAD. (RELATED ITEMS: 14-159, 14R-313, 14R-309, 14-153, 14-154) (ACTION DATE: 1/5/15) (12/15/14 - P.H. & Action cont'd 3 weeks to 1/5/15) - CLERK read an ordinance, introduced by Carl Eskridge, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

ESKRIDGE Moved to pass ordinance as read.

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **#20126**, is recorded in Ordinance Book #29, Page .

APPROVING A CABLE TELEVISION FRANCHISE AGREEMENT FOR A 15 YEAR TERM BETWEEN THE CITY OF LINCOLN AND WINDSTREAM NEBRASKA, INC. TO PROVIDE CABLE TELEVISION SERVICES AND PRODUCTS TO THE CITIZENS OF LINCOLN - PRIOR to reading:

CHRISTENSEN Moved Motion to Amend No. 1 to amend Bill No. 14-155 by accepting the substitute Attachment (A) attached hereto to replace the Attachment (A) previously provided with Bill No. 14-155.

Seconded by Cook & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

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CLERK Read an ordinance, introduced by Carl Eskridge, granting a cable communication facility franchise to Windstream Nebraska, Inc. to provide cable television services and to maintain a cable communication facility within the City of Lincoln pursuant to and subject to the provisions of the Lincoln Municipal Code, the third time.

ESKRIDGE Moved to pass ordinance as amended.

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **#20127**, is recorded in Ordinance Book #29, Page .

APPROVING A CONDUIT SYSTEM LEASE AGREEMENT FOR A TEN YEAR TERM BETWEEN THE CITY OF LINCOLN AND WINDSTREAM NEBRASKA, INC. TO OCCUPY SPACE IN THE CITY'S LINCOLN TECHNOLOGY IMPROVEMENT DISTRICT CONDUIT SYSTEM PURSUANT TO THE TERMS AND CONDITIONS IN THE AGREEMENT - CLERK read an ordinance, introduced by Carl Eskridge, accepting and approving a Conduit System Lease Agreement between the City of Lincoln, Nebraska and Windstream Nebraska, Inc. to occupy space in the City's Lincoln Technology Improvement District conduit system for a 10 year term, the third time.

ESKRIDGE Moved to pass ordinance as read.

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **#20128**, is recorded in Ordinance Book #29, Page .

APPROVING A CONDUIT SYSTEM LEASE AGREEMENT FOR A TEN YEAR TERM BETWEEN THE CITY OF LINCOLN AND CENTURYLINK COMMUNICATIONS, LLC TO OCCUPY SPACE IN THE CITY'S LINCOLN TECHNOLOGY IMPROVEMENT DISTRICT CONDUIT SYSTEM PURSUANT TO THE TERMS AND CONDITIONS IN THE AGREEMENT - CLERK read an ordinance, introduced by Carl Eskridge, accepting and approving a Conduit System Lease Agreement between the City of Lincoln, Nebraska and CenturyLink Communications, LLC to occupy space in the City's Lincoln Technology Improvement District conduit system for a 10 year term, the third time.

ESKRIDGE Moved to pass ordinance as read.

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **#20129**, is recorded in the Ordinance Book #29, Page .

APPROVING A CONDUIT SYSTEM LEASE AGREEMENT FOR A 25 YEAR TERM BETWEEN THE CITY OF LINCOLN AND THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA TO OCCUPY SPACE IN THE CITY'S LINCOLN TECHNOLOGY IMPROVEMENT DISTRICT CONDUIT SYSTEM PURSUANT TO THE TERMS AND CONDITIONS IN THE AGREEMENT - PRIOR to reading:

CAMP Moved Motion to Amend No. 1 to amend Bill No. 14-158 in the following manner:

1. On page 1, lines 1, 6, 11, 13 and 15, delete the word "Lease" and insert in lieu thereof the word License.

Seconded by Gaylor Baird & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

CLERK Read an ordinance, introduced by Carl Eskridge, accepting and approving a Conduit System Lease Agreement between the City of Lincoln, Nebraska and the Board of Regents of the University of Nebraska to occupy space in the City's Lincoln Technology Improvement District conduit system for a 25 year term, the third time.

ESKRIDGE Moved to pass ordinance as amended.

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **#20130**, is recorded in the Ordinance Book #29, Page .

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS WITH A TOTAL NOT TO EXCEED THE AMOUNT OF \$7 MILLION FOR THE CITY OF LINCOLN, ASPEN HEIGHTS REDEVELOPMENT PROJECT IN GREATER DOWNTOWN LINCOLN. (RELATED ITEMS: 14-160, 14R-314, 14R-315) - CLERK read an ordinance, introduced by Carl Eskridge, authorizing and Providing for the Issuance of City of Lincoln, Nebraska Tax Allocation Bonds, Notes or Other Obligations, in One or More Taxable or Tax-exempt Series, in an Aggregate Principal Amount Not to Exceed \$7,000,000 for the Purpose of (1) Paying the Costs of Acquiring, Purchasing, Constructing, Reconstructing, Improving, Extending, Rehabilitating, Installing, Equipping, Furnishing and Completing Certain Improvements Within the City's Aspen Heights Redevelopment Project Area, Including Acquiring Any Real Estate And/or Interests in Real Estate in Connection Therewith, and (2) Paying the Costs of Issuance Thereof; Prescribing the Form and Certain Details of the Bonds, Notes or Other Obligations; Pledging Certain Tax Revenue and Other Revenue to the Payment of the Principal of and Interest on the Bonds, Notes or Other Obligations as the Same Become Due; Limiting Payment of the Bonds, Notes or Other Obligations to Such Tax Revenues; Creating and Establishing Funds and Accounts; Delegating,



Authorizing and Directing the Finance Director to Exercise His Independent Discretion and Judgment in Determining and Finalizing Certain Terms and Provisions of the Bonds, Notes or Other Obligations Not Specified Herein; Taking Other Actions and Making Other Covenants and Agreements, the third time.

ESKRIDGE Moved to pass ordinance as read.

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **#20131**, is recorded in the Ordinance Book #29, Page .

AMENDING THE FY 14/15 CIP TO AUTHORIZE AND APPROPRIATE \$7 MILLION IN TIF FUNDS FOR THE ASPEN HEIGHTS REDEVELOPMENT PROJECT ON PROPERTY GENERALLY LOCATED BETWEEN Q STREET, O STREET, 17TH STREET, AND ANTELOPE VALLEY PARKWAY. (RELATED ITEMS: 14-160, 14R-314, 14R-315) - CLEK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-88715 A Resolution (1) amending the Schedule of Capital Improvement Projects for the fiscal year beginning September 1, 2014 within the Capital Improvement Program (CIP) adopted by and attached to Resolution No. A-88504 as Schedule 5 to establish the Aspen Heights Redevelopment Project (an approved project in the Antelope Valley Redevelopment Plan) to install street and streetscape improvements and utility relocation and installation in the public rights-of-way; to construct public enhancements to the private garage and residential housing and to pay site acquisition costs associated with said Project as a capital improvement project within the adopted Capital Improvement Program; and (2) transferring and establishing appropriations in the amount of \$7,000,000 from TIF funds for said capital improvement project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

1. That the implementation of the Antelope Valley Redevelopment Plan, Aspen Heights Redevelopment Project, to install street and streetscape improvements and utility relocation and installation in the public rights-of-way; to construct public enhancement to the private garage and residential housing and to pay site acquisition costs associated with said Project, is hereby established and added to the Urban Development Department's list of fiscal year 2014-15 capital improvement projects within the Capital Improvement Program adopted by and attached to Resolution No. A-88504 as Schedule 5.

2. That the City Council hereby appropriates and directs the Finance Director to make the necessary adjustments to the annual budget to designate \$7,000,000 from Tax Increment Financing for this Aspen Heights Redevelopment Project.

Introduced by Carl Eskridge

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPROVING THE FIRST AMENDMENT AND RESTATEMENT OF CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN SOUTHWOOD LUTHERAN CHURCH, MERIDIAN CORPORATION, SUNDANCE, LLC, AND THE CITY OF LINCOLN, NEBRASKA TO REVISE PROVISIONS REGARDING THE TIMING FOR THE DESIGN, GRADING, AND CONSTRUCTION OF ROADS, WATER, AND SANITARY SEWER INFRASTRUCTURE AND THE RESPONSIBILITY FOR FUNDING SUCH COSTS ON PROPERTY GENERALLY LOCATED AT SOUTH 40TH STREET AND ROKEBY ROAD - Prior to reading:

GAYLOR BAIRD Moved Motion to Amend No. 1 to amend Bill No. 14-161 by accepting the substitute Attachment "B" (Annexation Map) and Attachment "C" (Legal Description of Annexation) to the First Amendment and Restatement of Conditional Annexation and Zoning Agreement attached as Attachment "A" to Bill No. 14-161 for the original Attachments "B" and "C" accompanying the First Amendment and Restatement of Conditional Annexation and Zoning Agreement.

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

CLERK Read an ordinance, introduced by Carl Eskridge, approving the First Amendment and Restatement of Conditional Annexation and Zoning Agreement ("Amended and Restated Agreement") to the Southwood Lutheran Church, Buckshot Farms and Sundance Conditional Annexation and Zoning Agreement ("Original Agreement") which is attached hereto, marked as Attachment "A" and made a part hereof by reference, between the City of Lincoln and Southwood Lutheran Church, Meridian Corporation, and Sundance LLC, to amend the terms and conditions contained in said Original Agreement to revise provisions regarding the timing for the design, grading, and construction of roads, water, and sanitary sewer infrastructure and the responsibility for funding such costs on property generally located at South 40th Street and Rokeby Road and repealing Ordinance No. 18710 authorizing a Water Revenue Obligation, a Sanitary Sewer Revenue Obligation, and a Highway Allocation Obligation associated with the construction of Water, Sanitary Sewer, and Street infrastructure under the Original Agreement as such obligations are no longer needed to be issued in order to fund the infrastructure, the third time.

ESKRIDGE Moved to pass ordinance as amended.

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **#20132**, is recorded in the Ordinance Book 29, Page .

**ORDINANCES - 1ST READING & RELATED RESOLUTIONS (as required)**

COMP. PLAN AMENDMENT 14008 - AMENDING THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP FROM URBAN RESIDENTIAL TO COMMERCIAL ON APPROXIMATELY 9.2 ACRES, FROM PUBLIC AND SEMI-PUBLIC TO COMMERCIAL ON APPROXIMATELY .8 ACRES AND FROM URBAN RESIDENTIAL DESIGNATION TO PUBLIC AND SEMI PUBLIC DESIGNATION ON APPROXIMATELY .2 ACRES, GENERALLY LOCATED AT SOUTH 84TH STREET AND KARL RIDGE ROAD. **(RELATED ITEMS: 15R-6, 15-1, 15R-7, 15-2)**

CHANGE OF ZONE 14028 - APPLICATION OF THE CITY OF LINCOLN REAL ESTATE DIVISION FOR A CHANGE OF ZONE FROM R-1 RESIDENTIAL DISTRICT TO P PUBLIC USE, FROM R-1 RESIDENTIAL DISTRICT, P PUBLIC USE DISTRICT TO H-4 GENERAL COMMERCIAL DISTRICT, AND FROM R-3 RESIDENTIAL DISTRICT TO H-4 GENERAL COMMERCIAL DISTRICT, ON PROPERTY GENERALLY LOCATED AT SOUTH 84TH STREET AND KARL RIDGE ROAD. **(RELATED ITEMS: 15R-6, 15-1, 15R-7, 15-2)** - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon., the first time.

SPECIAL PERMIT 14045 - APPLICATION OF THE CITY OF LINCOLN REAL ESTATE DIVISION TO DEVELOP PLANNED SERVICE COMMERCIAL TO DEVELOP UP TO 130,000 SQUARE FEET OF MINI-WAREHOUSES IN THE H-4 GENERAL COMMERCIAL DISTRICT, WITH REQUESTED WAIVERS OF THE REQUIRED REAR AND SIDE YARD SETBACKS AND THE REQUIREMENT THAT POST- DEVELOPMENT FLOWS BE LESS THAN PRE-DEVELOPMENT FLOWS FOR AN ON-SITE DETENTION POND, ON PROPERTY GENERALLY LOCATED AT S. 84TH STREET AND KARL RIDGE ROAD. **(RELATED ITEMS: 15R-6, 15-1, 15R-7, 15-2)**

VACATION 14009 - VACATING THE VIEWPOINT DRIVE RIGHT-OF-WAY LYING NORTH OF KARL RIDGE ROAD, GENERALLY LOCATED AT SOUTH 84TH STREET AND KARL RIDGE ROAD. **(RELATED ITEMS: 15R-6, 15-1, 15R-7, 15-2)** - CLERK read an ordinance, introduced by Leirion Gaylor Baird, vacating the Viewpoint Drive right-of-way lying north of Karl Ridge Road adjacent to 8264 and 8300 Karl Ridge Road generally located at South 84th Street and Karl Ridge Road, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the first time.

APPROVING A CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN NOEL AND GLORIA CHADD AND THE CITY OF LINCOLN FOR THE DEVELOPMENT AND ANNEXATION OF PROPERTY GENERALLY LOCATED AT N.W. 40TH STREET AND W. VINE STREET. **(RELATED ITEMS: 15R-4, 15-3, 15-4)**

ANNEXATION 14006 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 22 ACRES OF PROPERTY GENERALLY LOCATED AT WEST VINE STREET BETWEEN N.W. 27TH STREET AND N.W. 40TH STREET. **(RELATED ITEMS: 15R-4, 15-3, 15-4)** - CLERK read an ordinance, introduced by Leirion Gaylor Baird, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon., the first time.

CHANGE OF ZONE 14031 - APPLICATION OF NOEL AND GLORIA CHADD FOR A CHANGE OF ZONE FROM AG AGRICULTURE TO I-1 INDUSTRIAL ON APPROXIMATELY 22 ACRES OF PROPERTY GENERALLY LOCATED AT WEST VINE STREET BETWEEN N.W. 27TH STREET AND N.W. 40TH STREET. **(RELATED ITEMS: 15R-4, 15-3, 15-4)** - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

ANNEXATION 14007 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 12 ACRES OF PROPERTY GENERALLY LOCATED AT ANTHONY LANE AND O STREET. **(RELATED ITEMS: 15-5, 15-6)** - CLERK read an ordinance, introduced by Leirion Gaylor Baird, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the first time.

CHANGE OF ZONE 14032 - APPLICATION OF HERITAGE LAKES, LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURE TO R-3 RESIDENTIAL ON PROPERTY GENERALLY LOCTED AT ANTHONY LANE AND O STREET. **(RELATED ITEMS: 15-5, 15-6)** - CLERK read an ordinance, introduced by

Leirion Gaylor Baird, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon., the first time.

CHANGE OF ZONE 14030 - APPLICATION OF THE ACTING PLANNING DIRECTOR FOR A CHANGE OF ZONE FROM H-3 HIGHWAY COMMERCIAL TO R-2 RESIDENTIAL AND I-1 INDUSTRIAL ON PROPERTY GENERALLY LOCATED AT N. 44TH STREET AND COLFAX CIRCLE - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

TEXT AMENDMENT 14017 - AMENDING THE MAXIMUM BUILDING HEIGHT PROVISIONS IN THE AG DISTRICT BY AMENDING SECTION 27.63.250 OF THE LINCOLN MUNICIPAL CODE TO ADD THE AG DISTRICT TO THE LIST OF DISTRICTS IN WHICH A PERMITTED USE EXCEEDING THE MAXIMUM HEIGHT PERMITTED IN A DISTRICT MAY BE ALLOWED BY SPECIAL PERMIT; AND AMENDING 27.72.010 OF THE LINCOLN MUNICIPAL CODE TO INCREASE THE ALLOWABLE BUILDING HEIGHT IN THE AG DISTRICT FOR FARMSTEAD SPLITS FROM 30' TO 35' - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending the maximum building height provisions in the AG district by amending Section 27.63.250 of the Lincoln Municipal Code to add the AG district to the list of districts in which a permitted use exceeding the maximum height permitted in a district may be allowed by special permit; amending 27.72.010 of the Lincoln Municipal Code to increase the allowable building height in the AG district for farmstead splits from 30' to 35'; and repealing Sections 27.63.250 and 27.72.010 of the Lincoln Municipal Code as hitherto existing, the first time.

TEXT AMENDMENT 14019 - AMENDING CHAPTER 27.68 OF THE LINCOLN MUNICIPAL CODE RELATING TO PERSONAL WIRELESS FACILITIES BY AMENDING SECTIONS 27.68.020, 27.68.030, 27.68.120, AND 27.68.130 TO MODIFY THE DEFINITIONS OF "ABANDONMENT" AND "PARTIAL ABANDONMENT"; TO MODIFY ADMINISTRATIVE PERMIT PROVISIONS; AND TO DELETE PROVISIONS REGARDING THE INITIAL TERM AND RENEWAL OF SPECIAL PERMITS AND ADMINISTRATIVE PERMITS; AND REPEALING SECTIONS 27.68.040, 27.68.050, 27.68.060, AND 27.68.070 OF THE LINCOLN MUNICIPAL CODE IN THEIR ENTIRETY - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Chapter 27.68 of the Lincoln Municipal Code relating to Personal Wireless Facilities by amending Sections 27.68.020, 27.68.030, 27.68.120, and 27.68.130 to modify the definitions of "abandonment" and "partial abandonment"; to modify administrative permit provisions; and to delete provisions regarding the initial term and renewal of special permits and administrative permits; repealing Sections 27.68.040, 27.68.050, 27.68.060, and 27.68.070 of the Lincoln Municipal Code in their entirety; and repealing Sections 27.68.020, 27.68.030, 27.68.120, and 27.68.130 of the Lincoln Municipal Code as hitherto existing, the first time.

VACATION 14012 - VACATING APPROXIMATELY .08 ACRES OF Y STREET RIGHT-OF-WAY ADJACENT TO LOT 1, 10TH AND Y STREET BETWEEN N. 10TH STREET AND VACATED N. 11TH STREET - CLERK read an ordinance, introduced by Leirion Gaylor Baird, vacating approximately .08 acres of Y Street right-of-way adjacent to Lot 1, 10th & Y Addition generally located between N. 10th Street and vacated N. 11th Street, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the first time.

VACATION 14011 - VACATING APPROXIMATELY .04 ACRES OF STREET STUB AT THE NORTHEAST CORNER OF WEST C STREET AND S.W. 6TH STREET AND APPROXIMATELY .05 ACRES OF THE EAST-WEST ALLEY NORTH OF WEST B STREET, EAST OF S.W. 6TH STREET - CLERK read an ordinance, introduced by Leirion Gaylor Baird, vacating the east-west alley from the east line of S.W. 6th Street to the east line of Lot 12, Block 5, Elmwood Addition, and vacating a portion of S.W. 6th Street between West D Street and West C Street, generally located northeast of S.W. 6th Street and West B Street, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the first time.

AMENDING CHAPTER 21.09 OF THE LINCOLN MUNICIPAL CODE RELATING TO REGISTRATION OF NEGLECTED BUILDINGS BY ADDING A NEW SECTION NUMBERED 21.09.165 TO PROVIDE FOR THE DEPOSIT AND DISTRIBUTION OF FEES AND PENALTIES - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Chapter 21.09 of the Lincoln Municipal Code relating to Registration of Neglected Buildings by adding a new section numbered 21.09.165 to provide for the deposit and distribution of fees and penalties, the first time.

APPROVING A REAL ESTATE SALES AGREEMENT BETWEEN THE CITY OF LINCOLN AND R.C. KRUEGER DEVELOPMENT COMPANY TO PURCHASE APPROXIMATELY 9.37 ACRES OF CITY OWNED PROPERTY GENERALLY LOCATED AT 2201 SOUTH 84TH STREET - CLERK read an ordinance, introduced by Leirion Gaylor Baird, approving a Real Estate Sales Agreement between the City of Lincoln and R.C. Krueger Development Company authorizing the sale of approximately 9.37 acres of City owned property generally located at 2201 S. 84th Street, Lincoln, Nebraska, the first time.

**RESOLUTIONS - 1<sup>ST</sup> READING**

APPOINTING EMILY CASPER TO THE URBAN DESIGN COMMITTEE FOR A TERM EXPIRING FEBRUARY 2, 2016. (*CONSENT*)

REAPPOINTING SCOTT HATFIELD, ERIC T. HOKE, ROSHAN PAJNIGAR, AND CAMEYA RAMIREZ-ROUSSEAU TO THE CITIZEN POLICE ADVISORY BOARD FOR A TERM EXPIRING NOVEMBER 17, 2017. (*CONSENT*)

APPROVING APPROPRIATIONS IN THE AMOUNT OF \$93,393.00 FROM THE OPERATION OF KENO LOTTERY FUNDS FOR VARIOUS HUMAN SERVICES (ROUND 39) AND ALLOCATING \$1,500.00 TO THE 2015 H.S. EMERGENCY FUND AND \$50,000.00 TO YEAR 2 OF THE ADULT RECIDIVISM REDUCTION PROJECT FOR A TOTAL OF \$143,393.00. (*CONSENT*)

APPROVING A MASTER AGREEMENT BETWEEN THE CITY OF LINCOLN AND SIRISDYNIX FOR THE SOFTWARE SYSTEM FOR LINCOLN CITY LIBRARIES INTEGRATED LIBRARY SYSTEM FOR A FOUR YEAR TERM WITH THE OPTION TO RENEW FOR ONE ADDITION YEAR. (*CONSENT*)

APPROVING A SERVICE AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND THE UNIVERSITY OF NEBRASKA-LINCOLN TO PROVIDE PRACTICUM OR SHADOWING EXPERIENCES FOR STUDENTS IN THE DIETETIC INTERNSHIP PROGRAM AND EARLY CHILDHOOD SPECIAL EDUCATION PROGRAMS FOR A TERM OF JANUARY 1, 2015 THROUGH DECEMBER 31, 2017. (*CONSENT*)

APPROVING A SERVICE AGREEMENT FOR GOLF PROFESSIONALS BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN PARKS AND RECREATION DEPARTMENT AND JONATHAN BENSON FOR THE OPERATION OF MAHONEY GOLF COURSE FOR A FOUR YEAR PERIOD.

APPROVING A SERVICE AGREEMENT FOR GOLF PROFESSIONALS BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN PARKS AND RECREATION DEPARTMENT AND TIMOTHY ROWLAND FOR THE OPERATION OF PIONEERS GOLF COURSE FOR A FOUR YEAR PERIOD.

APPROVING A SERVICE AGREEMENT FOR GOLF PROFESSIONALS BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN PARKS AND RECREATION DEPARTMENT AND DENIS VONTZ FOR THE OPERATION OF HIGHLANDS GOLF COURSE FOR A FOUR YEAR PERIOD.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF DECEMBER 1 - 31, 2014.

APPROVING A JOINT INFORMATION TECHNOLOGY INTERLOCAL AGREEMENT BETWEEN THE STATE OF NEBRASKA, OFFICE OF THE CHIEF INFORMATION OFFICER, AND THE CITY OF LINCOLN, NEBRASKA FOR THE EXCHANGE OF INFORMATION TECHNOLOGY SERVICES BETWEEN THE PARTIES, ESTABLISHING A BOARD OF GOVERNANCE, AND IDENTIFYING SERVICES CURRENTLY BEING PROVIDED.

**ADJOURNMENT**

**3:42 P.M.**

CAMP                      Moved to adjourn the City Council Meeting of January 5, 2015.  
                                    Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery  
                                    Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: None.

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Teresa J. Meier, City Clerk

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Soulinnee Phan, Office Specialist